

1 BILL NO. S-88-12- 37

2
3 SPECIAL ORDINANCE NO. S-12-89

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5
6 AN ORDINANCE approving the awarding of
7 Reference #864 by the City of Fort
8 Wayne, Indiana, by and through its
9 Department of Purchasing and Jones
10 Chemicals, Inc. for the Water Filtration
11 Plant.

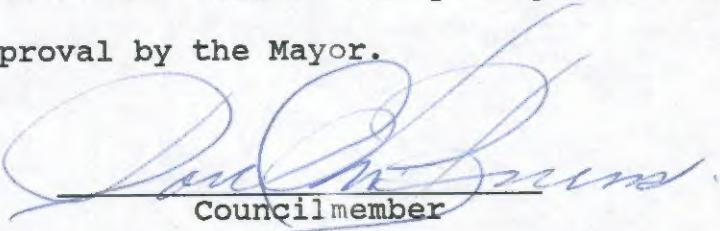
12 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
13 THE CITY OF FORT WAYNE, INDIANA;

14 SECTION 1. That Reference #864 between the City of
15 Fort Wayne, by and through its Department of Purchasing and
16 Jones Chemicals, Inc. for the Water Filtration Plant,
17 respectfully for:

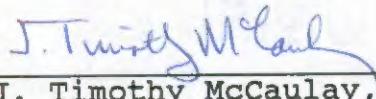
18 the purchase of liquid chlorine in 1898
19 for the treatment of drinking water for
the Water Filtration Plant;

20 involving a total cost of Sixteen Thousand Five Hundred
21 Eighteen and 10/100 Dollars (\$16,518.10), all as more
22 particularly set forth in said Reference #864 which is on
23 file in the Office of the Department of Purchasing, and is
24 by reference incorporated herein, made a part hereof, and is
25 hereby in all things ratified, confirmed and approved.

26 SECTION 2. That this Ordinance shall be in full force
27 and effect from and after its passage and any and all
28 necessary approval by the Mayor.

29
30
31 
32 Council member

33 APPROVED AS TO FORM
34 AND LEGALITY

35 
36 J. Timothy McCaulay, City Attorney

REFERENCE NO. 864
FILTRATION PLANT
LIQUID CHLORINE

DESCRIPTION	JONES	ULRICH
PRICE LB	\$0.0947	\$0.0842
PRICE TON	\$189.42	\$168.40
DEMURRAGE	\$50.00 *	\$50.00 **
DELIVERY TIME	10-14 DYS	2 WKS

*PER DAY AFTER 120 DAYS

**PER DAY AFTER 90 DAYS

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET-ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-29-88 @ 11:00 AM BID REFERENCE # 864

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350,
CITY-COUNTY BUILDING UP TO 11:00 AM, ON OR BEFORE
OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 AM IN THE
BOARD OF WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF
THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER
11:00 AM FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR the 1989 requirements for approximately
350,000 +/- lbs. of Liquid Chlorene in bulk delivery
AND REQUESTED BY Water Pollution Control Plant

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED
AND HI-LIGHTED ON THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A \$500.00 BID BOND OF ALL BIDDERS.
THIS BID REQUIRES A 100% PERFORMANCE BOND OF SUCESSFUL
BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ %
IF PAID WITHIN _____ DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA
STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE
NUMBER IS JS6-001-255 0013, PRICES SHOULD NOT INCLUDE THESE
TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS
AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE
BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A
PERIOD OF NINETY (90) DAYS.

FIRM NAME Jones Chemicals, Inc.
STREET ADDRESS 600 Bethel Ave.
CITY Beech Grove, IN 46107
BY William L. Starcher PHONE (317) 787-8381
REPRESENTATIVE SIGNATURE
William L. Starcher, Branch Manager

1989 SPECIFICATIONS FOR THE DELIVERY OF LIQUID CHLORINE

Furnish Liquid Chlorine in bulk deliveries by railcar to be delivered to the Water Pollution Control Plant, 2601 Dwenger Ave., Fort Wayne, Indiana. Delivery to be by railcar via Norfolk & Western Railroad to the Water Pollution Control Plant side track.

Approximately 350,000 pounds to be delivered for the year 1989. Vendor to begin delivery March 1, 1989. 90 days demurrage on tank railcar for unloading of Liquid Chlorine.

The period of this agreement will be March 1, 1989 until October 31, 1989. We require a firm price guaranteed for shipments made during this period.

Note: All prices bid must include freight charges. No demurrage to be charged until after 90 days.

PRICE PER POUND-INCLUDING FREIGHT	\$.0947
PRICE PER TON-INCLUDING FREIGHT	\$ 189.42
DEMURRAGE	\$ 50.00/day after 120 days
DELIVERY TIME A.R.O.	\$ 10-14 days



Jones Chemicals, Inc.
LeRoy, New York 14482
And principal cities
716-768-6281

• BARBERTON, OHIO
• BEECH GROVE, IND.
• CALEDONIA, N.Y.
• CHARLOTTE, N.C.
• FESTUS, MO.
• FORT LAUDERDALE, FLA.
• HENDERSON, NEV.

• HOUSTON, TX
• HUDSON, WI
• JACKSONVILLE, FLA.
• MERRIMACK, N.H.
• MILFORD, VA.
• MILPITAS, CALIF.
• MOBILE, ALA.

• RESERVE, LA
• ST. PETERSBURG, FLA.
• TACOMA, WASH.
• TORRANCE, CALIF.
• WARWICK, N.Y.
• WYANDOTTE, MICH.

INQUIRY NO. Ref #864

DATE Nov 23, 1988

TERMS Net 30 Days

PRICES QUOTED ARE
F.O.B. Destination

DELIVERY 10-14 days

TO
[] City of Fort Wayne
Water Pollution Control
Department of Purchases
One Main St., Room 350
Fort Wayne, IN 46802
[]

Thank you for allowing us to quote as follows;

Gene Liegibel	ITEM & DESCRIPTION	PRICE	UNIT
	350,000+/- lbs Liquid Chlorine in bulk delivery	\$ 189.42	ton
	demurrage after 120 days	50.00	day

Price firm March 1, 1989 through October 31, 1989

BY William L. Starcher TITLE William L. Starcher Branch Manager

CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of Jones Chemicals, Inc.
_____, does hereby make the following representations
to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council
of the City of Fort Wayne, Indiana, has passed an ordinance con-
demning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons,
firms or corporations submitting bids to the City, for goods and
services, certify, as part of the bid, that such entity does not
support the policies of apartheid in South Africa.

The undersigned states, on behalf of Jones Chemicals, Inc.
_____, that William L. Starcher
does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed
this 23rd day of November, 1988.

JONES CHEMICALS, INC.
(Name of Bidder/Vendor)

William L. Starcher
(Name and Title of Person Signing)
William L. Starcher, Branch Manager



INSURANCE COMPANY OF NORTH AMERICA PHILADELPHIA PENNSYLVANIA

Proposal or Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE JONES CHEMICALS, INC.

as principal, and the INSURANCE COMPANY OF NORTH AMERICA, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having its principal place of business at Philadelphia, Pa., as surety, are held and firmly bound unto
CITY OF FORT WAYNE
WATER POLLUTION CONTROL
FORT WAYNE, IN.

as obligee, in the penal sum of FIVE HUNDRED AND 00/100---- (\$500.00) -----
DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed and dated this 17th day of NOVEMBER A. D. 1988
WHEREAS, the said principal is herewith submitting proposal for FURNISHING LIQUID CHLORINE

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the aforesaid principal shall be awarded the contract, the said principal will within the period specified therefor, or, if no period be specified, within ten (10) days after the notice of such award enter into a contract and give bond for the faithful performance of the contract, then this obligation shall be null and void, otherwise the principal and the surety will pay unto the obligee the difference in money between the amount of the bid of the said principal and the amount for which the obligee may legally contract with another party to perform the work if the latter amount be in excess of the former; in no event shall the liability hereunder exceed the penal sum hereof.

PROVIDED AND SUBJECT TO THE CONDITION PRECEDENT, that any suits at law or proceedings in equity brought or to be brought against the Surety to recover any claim hereunder must be instituted and service had upon the Surety within ninety (90) days after the acceptance of said bid of the Principal by the Obligee.

JONES CHEMICALS, INC.

INSURANCE COMPANY OF NORTH AMERICA

By
WILLIAM P. COSGROVE
ATTORNEY IN FACT

STATE OF New York

COUNTY OF New York

On this 17th day of November, 1988, before me personally appeared William P. Cosgrove to me known who, being by me duly sworn, did depose and say.: That he resides in New York; that he is Attorney-in-Fact of the INSURANCE COMPANY OF NORTH AMERICA, the corporation described in and which executed for foregoing instrument: that he knows the corporate seal of the said Corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation; and that he signed his name thereto as Attorney-in-Fact by order of the Board of Directors of said Corporation; and the deponent saith further that the Superintendent of Insurance of the State of New York has, pursuant to Section 327 of the Insurance Law of the State of New York, issued to the INSURANCE COMPANY OF NORTH AMERICA his certificate that said Company is qualified to become and be accepted as surety or guarantor on all bonds, undertakings and other obligations or guarantees, as provided in the Insurance Law of the State of New York and all laws amendatory thereof and supplementary thereto; and that such certificate has not been revoked; and that the assets of said Company, unencumbered and liable to execution exceed its debts and liabilities of every nature whatsoever, by Six Hundred Seventeen Million Dollars (\$617,000,000)

Witness my hand and seal the day and year aforesaid:

(Seal) **ANNETTE L. RIVERA**
Notary Public, State of New York
No. 43-4914252

Qualified in Richmond County **COPY OF RESOLUTION**
Commission Expires April 25, 1990

BE IT REMEMBERED, that at a meeting of the Board of Directors of the INSURANCE COMPANY OF NORTH AMERICA, duly called and held at the office of the Company, in the City of Philadelphia, State of Pennsylvania, on the 5th day of December, 1983, a quorum being present, the following Resolution was duly adopted:

RESOLVED, That pursuant to Articles 3.18 and 5.1 of the By-Laws the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof:

- (1) That the President, or any Senior Vice President, any Vice President, any Assistant Vice President, or any Attorney-in-Fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary and the seal of the Company affixed thereto; and that the President, any Senior Vice President, any Vice President, or any Assistant Vice President may appoint and authorize any other Officer (elected or appointed) of the Company, and Attorneys-in-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto.
- (2) Any such writing executed in accordance with these Rules shall be as binding upon the Company as though signed by the President and attested to by the Corporate Secretary.
- (3) The signature of the President, or a Senior Vice President, or a Vice President, or an Assistant Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a certifying Officer and the seal of the Company may be affixed by facsimile to any certificate of any such power, and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.
- (4) Such other Officers of the Company, and Attorneys-in-Fact shall have authority to certify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.
- (5) The passage of this Resolution does not revoke any earlier authority granted by Resolutions of the Board of Directors adopted on June 9, 1953, May 28, 1975, and March 27, 1977.

Financial Statement December 31, 1986

Admitted Assets

Bonds	\$1,851,743,661
Short-Term Investments	373,320,208
Stocks	485,199,037
Real Estate	16,707,630
Cash on Hand and in Bank	99,657,600
Premium in Course of Collection*	200,996,329
Interest Accrued	51,699,160
Other Assets	<u>1,389,511,820</u>
TOTAL ASSETS	<u>\$4,468,835,445</u>

Liabilities

Reserve for Unearned Premiums	\$ 820,883,884
Reserve for Losses	2,554,633,506
Reserve for Taxes	15,096,983
Funds Held Under Reinsurance Treaties	34,187,388
Other Liabilities	426,740,618
TOTAL LIABILITIES	<u>3,851,542,379</u>
Capital: 11,357,109 Shares, \$5 par value	56,785,545
Capital: Paid In	734,148,981
Surplus (Unassigned)	(173,641,461)
SURPLUS TO POLICYHOLDERS	<u>617,293,065</u>
TOTAL	<u>\$4,468,835,444</u>

(*Excludes premiums more than 90 days due.)

William P. Cosgrove

It is hereby certified that William P. Cosgrove has been appointed Attorney-in-Fact of the INSURANCE COMPANY OF NORTH AMERICA at New York that said appointment is in full force and effect as of the date hereof, that said appointment was made under and by authority of the foregoing Resolution, or one of the aforementioned earlier Resolutions, which said Resolution has been compared by me with the original thereof as recorded in the minute book of said Company and is a true and correct transcript thereof and is in full force and effect, and that the foregoing is a true and correct statement of the financial condition of the said Company, as of December 31, 1986.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said corporation this 17th day of November, 1988

James A. Ryall

Secretary

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

1. Governmental Unit:	City of Fort Wayne	Date:	11/23/88
2. County:			
3. Bidder (Firm):	Jones Chemicals, Inc.		
Address:	600 Bethel Ave.,		
City/State:	Beech Grove, IN 46107		
4. Telephone Number:	(317) 787-8381		
5. Agent of Bidder (If applicable):			

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

may be.
William L. Starcher
Signature of Bidder or Agent
William L. Starcher

BID OFFER OR PROPOSAL

Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
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NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
Marion COUNTY) SS

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any contract or agreement with any person relative to the price to be paid by

Read the first time in full and on motion by Burns,
seconded by Julius, and duly adopted, read the second time by
title and referred to the Committee on City Utilities (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on 19, the 19 day
of 19, at o'clock A.M., E.S.T.

DATED: 12-27-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia Quinta,
seconded by Bradbury, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
<u>TOTAL VOTES</u>	<u>7</u>	<u> </u>	<u> </u>	<u>2</u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>LONG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
<u>STIER</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 1-10-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 12-89
on the 10th day of January, 1989.

Sandra E. Kennedy ^{ATTEST}
SANDRA E. KENNEDY, CITY CLERK

Charles S. Reed ^{SEAL}
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 11th day of January, 1989,
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of January,

19 89 at the hour of 4:00 o'clock P.M.

DIGEST SHEET

TITLE OF ORDINANCE: Special

J-88-12-37

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 864 with respect to the purchase of liquid chlorine for the Filtration Plant for 1989. The cost reflects the lowest and most responsible of two (2) vendors.

EFFECT OF PASSAGE: The Filtration Plant uses this chemical in the treatment of drinking water.

EFFECT OF NON-PASSAGE: Without the purchase of this chemical, drinking water cannot be treated properly.

MONIES INVOLVED: Jones Chemical \$16518.10+/-

SOURCE OF FUNDING: Filtration Plant
Fund Line: 514-533-S154-425A

BILL NO. S-88-12-37

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) approving the
awarding of Reference #864 by the City of Fort Wayne, Indiana,
by and through its Department of Purchasing and Jones Chemicals,
Inc. for the Water Filtration Plant

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

YES

NO

Mark E. GiacINTA
MARK E. GIAQUINTA
CHAIRMAN
Thomas C. Henry
THOMAS C. HENRY
VICE CHAIRMAN
David C. Long
DAVID C. LONG

Paul M. Burns
PAUL M. BURNS

Samuel J. Talarico
SAMUEL J. TALARICO

CONCURRED IN 1-3-89

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk